



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI  
GOVERNOR

DAVID P. LITTELL  
COMMISSIONER

**Maritimes & Northeast Pipeline, LLC  
Cumberland County  
Westbrook, Maine  
A-957-71-D-M (SM)**

**Departmental  
Findings of Fact and Order  
Air Emission License  
Amendment #3**

After review of the air emissions license amendment application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., §344 and §590, the Department finds the following facts:

**I. REGISTRATION**

**A. Introduction**

1. Maritimes & Northeast Pipeline, LLC (M&N) was issued Air Emission License A-957-71-A-N on February 5, 2007 permitting the operation of emission sources associated with their gas compressor station. The license was subsequently amended on January 22, 2009 (A-957-71-B-A) and April 23, 2009 (A-957-71-C-M).
2. The equipment addressed in this license is located off Small Hardy Rd in Westbrook, Maine.
3. M&N has requested a minor revision to their license in order to extend the deadline to perform the initial compliance test on Turbines #1 and #2.

**B. Revision Description**

Turbines #1 and #2 are subject to New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart KKKK, Standards of Performance for Stationary Gas Turbines for which construction commenced after February 18, 2005. Turbines subject to Subpart KKKK are exempt from NSPS Subpart GG, Standards of Performance for Stationary Gas Turbines for which construction commenced after October 3, 1977.

M&N's "Phase IV Project" was constructed to transport gas supplies from a new Canaport liquefied natural gas (LNG) receiving terminal near Saint John, New Brunswick, Canada. As a result, M&N expanded its existing interstate natural gas pipeline system in the U.S. by installing new facilities in Maine and Massachusetts.

Condition (23) of air emission license A-957-71-A-N requires M&N to perform an initial performance test within 60 days after achieving the maximum

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826  
RAY BLDG., HOSPITAL ST.

BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04679-2094  
(207) 764-0477 FAX: (207) 760-3143

production rate at which the facility will be operated but not later than 180 days after the initial startup. Initial startup of the turbine located at the Westbrook compressor station occurred in November 2008. This condition was amended in air emission license A-957-71-C-M to extend the testing deadline because the turbines were not yet in commercial operation, had not achieved their maximum rate, and M&N lacked sufficient gas throughput necessary to perform the test.

Canaport LNG is now operating but at a reduced capacity from its design capacity and the capacity the M&N system is designed to transport. As a result, M&N still cannot insure that it will have the gas throughput necessary to run Turbines #1 and #2 at sufficient capacity to complete the initial performance testing as required in 40 CFR § 60.8 and their air emission license.

M&N requested an extension from EPA to conduct the performance testing associated with its Westbrook Compressor Station. Since the initial compliance testing schedule is also listed in the air emission license, M&N has also requested a minor revision to the license to address those conditions. On October 29, 2009, EPA granted an extension to conduct the performance testing to within 180 days of the prior performance testing deadline of November 17, 2009 (i.e., up to and including May 16, 2010), or within 60 days of achieving the compressor units' maximum production rate.

#### C. Application Classification

This amendment will not increase emissions of any pollutant. Therefore, this modification is determined to be a minor revision and has been processed as such.

### **ORDER**

Based on the above Findings and subject to conditions listed below, the Department concludes that the emissions from this source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-957-71-D-M subject to the conditions found in Air Emission License A-957-71-A-N, A-957-71-B-A, and A-957-71-C-M and in the following conditions.

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

**The following shall replace Condition (23) of Air Emission Licenses A-957-71-A-N and A-957-71-C-M:**

**(23) Performance Tests**

- A. M&N shall conduct an initial performance test within 60 days of achieving the compressor units' maximum production rate or May 16, 2010, whichever is first. All testing shall comply with all of the requirements of the DEP Compliance Test Protocol and with 40 CFR Part 60, as appropriate, or other methods approved by the Bureau of Air Quality. A representative of the DEP or EPA shall be given the opportunity to observe the compliance testing.  
[40 CFR 60 Subpart KKKK and 06-096 CMR 115, BPT]
- B. M&N shall install test ports in stack #1 in accordance with the criteria of 40 CFR Part 60, Appendix A, Method 1, and test platforms, if necessary, to allow emission compliance testing for the gas turbine.  
[40 CFR 60 Subpart KKKK and 06-096 CMR 115, BPT]
- C. M&N shall conduct initial performance testing on the gas turbine for CO and VOCs and, upon request by the Department, total PM. Test results shall be reported in the applicable units of the standard.  
[40 CFR 60 Subpart KKKK and 06-096 CMR 115, BPT]

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- D. M&N shall perform annual performance tests to demonstrate compliance with the NO<sub>x</sub> emission limits. If the NO<sub>x</sub> emission results meet the requirements of 40 C.F.R. § 60.4340, then the frequency of performance tests may be reduced to once every two years upon concurrence from the MEDEP. [40 CFR 60 Subpart KKKK and 06-096 CMR 115, BPT]

DONE AND DATED IN AUGUSTA, MAINE THIS 11th DAY OF December, 2009.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: James P. Brooks  
DAVID P. LITTLE, COMMISSIONER

**The term of this amendment shall be concurrent with the term of Air Emission License A-957-71-A-N.**

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 10/30/09

Date of application acceptance: 11/2/09

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This Order prepared by Lynn Ross, Bureau of Air Quality.

